

Message Text

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ACTION AF-10

INFO OCT-01 ISO-00 SCS-06 CA-01 PPT-01 HA-05 IO-13
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C O N F I D E N T I A L COTONOU 718

E.O. 11652: GDS
TAGS: CASC, CARR, DM
SUBJ: PROTECTION OF US CITIZENS: THE BENNETT CASE

REF: A. COTONOU 699 B. 77 STATE 281540 C. STATE 102756
D. COTONOU 589, E. COTONOU 595 F. COTONOU 603 G. COTONOU 662

1. LEONARD R. BENNETT HAS NOW BEEN DETAINED BY THE BENINESE FOR FOUR MONTHS, AND WHILE GOVERNMENT OF PEOPLE'S REPUBLIC OF BENIN (GPRB) FOREIGN MINISTRY OFFICIALS ASSURE US THAT THEY ARE AWARE OF THE SERIOUSNESS WITH WHICH WE VIEW THE BENNETT CASE, NO POSITIVE ACTION HAS BEEN FORTHCOMING FROM THE GPRB ITSELF. SINCE THE CASE IMPINGES DIRECTLY ON DOMESTIC POLITICS (CORRUPTION IN THE NATIONAL TRANSIT COMPANY) AND UPON BENIN'S RELATIONS WITH NIGERIA (REF A), GPRB SEEMS TO PREFER TO KEEP BENNETT ON HAND BOTH AS POTENTIAL WITNESS AND AS SIGN TO NIGERIA OF BENIN'S "EVENHANDEDNESS" IN THE HAMZA-BENNETT CASE. OUR SPECULATION IS THAT IF BENNETT IS RELEASED, NIGERIA WILL PRESS EVEN HARDER FOR HAMZA'S RELEASE, SOMETHING THAT BENIN DOES NOT SEEM TO WANT AT THIS TIME. NOT ONLY COULD HAMZA GIVE DAMNING INFORMATION ON PRESIDENT KEREKOU'S DEPUTY, LT. COL. OHOUENS, MINISTER OF INDUSTRY AND CRAFTS, AND POSSIBLY OTHER FIGURES AS WELL, BUT HE COULD, AND ACCORDING TO NIGERIAN AMBASSADOR, WOULD, EMBARRASS GPRB WITH NEWS STORIES IN NIGERIA. THUS, UNLESS THERE IS SOME SUDDEN CHANGE OF HEART, BENNETT
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COULD BE HELD FOR MANY MORE WEEKS.

2. TO DATE, GPRB HAS TAKEN LITTLE NOTICE OF OUR PROTESTS, SINCE WORDS WITHOUT CONCOMITANT ACTIONS ARE EASY TO IGNORE. BELIEVE THAT WE SHOULD NOW CONSIDER ACTION TO UNDERLINE OUR DISPLEASURE WITH MANNER IN WHICH GPRB HAS BEEN TREATING AMCITS. IN OUR OPINION FIRST STEP SHOULD BE TO RESURRECT QUESTION OF A TRAVEL

ADVISORY. BENINESE HAD ALREADY PROMISED DEPUTY ASSISTANT SECRETARY HARROP IN NOVEMBER 1977 THAT GPRB WOULD EITHER TURN OVER ARRESTED AMERICANS TO EMBASSY OR ELSE TAKE THEM TO BORDER FOR EXPULSION. THEY WERE TO CONFIRM THESE UNDERTAKINGS IN WRITING. TO OUR KNOWLEDGE THIS HAS NOT BEEN DONE. DEPARTMENT'S QUERYING OF BENIN'S CHARGE ON THIS QUESTION ELICITED RATHER EVASIVE ANSWER (REF C). WHILE IT IS TRUE THAT WE HAVE NOT HAD WIDE-SPREAD ARBITRARY DETENTIONS AS IN THE PERIOD FOLLOWING THE JANUARY 1977 MERCENARY ATTACK, WE DID HAVE AN AMERICAN CITIZEN DETAINED IN APRIL 1978, AND HER DETENTION WAS FOLLOWED BY A SERIES OF INTERROGATIONS OF ANYONE WITH WHOM SHE HAD CONTACT (REFS D, E, F). ALTHOUGH SHE WAS EVENTUALLY EXPELLED (REF G), AT NO TIME WAS SHE TOLD WHY SHE HAD BEEN TAKEN INTO CUSTODY, NOR WAS THE EMBASSY INFORMED BY THE GPRB OF HER ARREST. APPARENTLY BENIN FEELS IT CAN SAY ONE THING IN WASHINGTON AND DO ANOTHER IN COTONOU WITHOUT HAVING TO EXPLAIN THE CONTRADICTION.

3. IN ADDITION TO POSSIBLE TRAVEL ADVISORY, BELIEVE THAT MEANS SHOULD BE FOUND TO DISCOURAGE US BUSINESSMEN FROM TRYING TO TRANSACT BUSINESS IN BENIN. BENNETT IS GOOD EXAMPLE OF WHAT CAN HAPPEN TO ANYONE WHO FEELS THAT HE CAN MAKE A LONG-TERM PROFIT IN BENIN. WE NOW HAVE ANOTHER POTENTIAL PROBLEM WITH ANOTHER AMERICAN, MR. MICHAEL CROSS, WHO IS PLANNING TO SET UP AN OFFICE IN COTONOU TO HANDLE EQUIPMENT DESTINED FOR NIGERIA. DESPITE OUR WARNINGS AND THE EXAMPLE OF WHAT HAS

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HAPPENED TO BENNETT, CROSS APPARENTLY FEELS THAT HE CAN SUCCEED WHERE OTHERS HAVE FAILED. OUR INVESTMENT CLIMATE REPORT (COTONOU 717) PERHAPS MAY SERVE AS A BASIS FOR DISCOURAGING US BUSINESSMEN FROM COMING TO BENIN UNTIL GENUINE GUARANTEES ARE IN EFFECT.

4. RECOMMEND THAT DEPARTMENT AGAIN CALL IN BENIN'S AMBASSADOR OR CHARGE TO STRESS OUR CONCERN OVER LACK OF PROGRESS IN BENNETT CASE, NOTING THAT NONE OF THE EMBASSY'S DIPLOMATIC NOTES ON THE MATTER HAS EVEN BEEN ACKNOWLEDGED BY THE GPRB. DEPARTMENT MIGHT WISH TO SUGGEST THAT INABILITY OF GPRB TO DEAL WITH THE PLIGHT OF AN AMERICAN BUSINESSMAN, WHO CAME TO BENIN WITH THE FULL ASSURANCE OF BENIN'S UNITED NATIONS COUNSELOR, OF FREEDOM FROM ARREST AND SUBSEQUENTLY HAS BEEN DETAINED FOR FOUR MONTHS, RAISES DOUBTS ABOUT THE SAFETY OF ANY AMERICAN CITIZEN IN BENIN, EITHER TOURIST OR BUSINESSMAN. FURTHERMORE, WE ARE NOT REASSURED BY FACT THAT BENIN STILL HAS NOT MADE GOOD ON MEASURES PROMISED BY AMBASSADOR BOYA WHEN TRAVEL ADVISORY QUESTION WAS RAISED IN NOV 1977. THEREFORE, DEPARTMENT MUST RE-EXAMINE NECESSITY OF ISSUING WARNING TO TRAVELLERS AND POTENTIAL INVESTORS IN BENIN.

4. WOULD APPRECIATE DEPARTMENT'S COMMENTS. THOMPSON

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